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EXAMINER

PHAM, HUNG Q

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 01/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/785,000

Applicant(s)

LEE ET AL.

Examiner

HUNG Q PHAM

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/02/2003 has been entered.

### ***Response to Arguments***

2. In the amendment filed on 05/27/2003, paper No. 6, the steps collecting social information at a Web site in claim 1, and collecting data representing a social category at a Web site in claims 25-27 were added. These steps were not described in the specification, and rejected under 35 U.S.C. § 112 first paragraph in Final Action, paper No. 7. In the amendment filed on 10/02/2003, paper No. 8, the rejection is requested to withdraw based on the arguments as in page 7. However,

a. The description as in page 4, lines 3-4 and 8-11 is not the description of how to collect social information.

b. As stated by applicants on page 11, lines 10-14:

*"This invention is a computer system, method, and program product for collecting, tracking and mapping social information..."*

Again, *collecting* in the stated sentence is merely the purpose of the invention, not the description of how to collect social information.

Art Unit: 2172

Therefore, examiner respectfully traverses the request for withdrawal the rejection because of the reasons as set forth above.

3. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1, 25-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In particular, the amended limitation of *collecting social information at a Web site* in claim 1, and *collecting data representing a social category at a Web site* in claims 25-27 are not described in the specification.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**7. Claims 1-2, 5-6 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki [USP 6,539,375 B2] in view of Yahoo.**

Regarding to claim 1, Kawasaki teaches a method for profiling a User of the Internet according to predefined categories of interest (Kawasaki, Col. 2, line 60-Col. 3, lines 9). As shown in Kawasaki FIG. 2, the data sets 21 represents sets of major areas of interest include sports, games, business, investing, health, hobbies, technology, arts, politics, social issues, weather and news (Kawasaki, Col. 4, lines 26-32). As shown in

Art Unit: 2172

FIG. 1, the statistical output from Recognizers 23 indicate whether a given set of unknown data received or sent through the Internet 18 has a good match to the installed Recognizers 23. For example, if a golfing Recognizer 23 is loaded and the User views golf-related Web Pages 13a, E-mail 12a, User Groups 16a or other digital content, the golfing Recognizer 23 returns a positive match for that Data Set 21 (Kawasaki, Col. 4, lines 33-41). Thus, whenever a user visits a website, the unknown incoming data requested by Users will go through the Recognizer as *collecting data representing a social category at a web site*, and the data set 21 is analyzed to perform a match for the unknown data as *mapping said social information into a data structure representing two or more categories*. Kawasaki does not explicitly teach *each of the categories divided into subcategories of ordered levels of specificity, each of the ordered levels of specificity being a grouping of subcategories of the same levels of specificity, wherein said data structure overlays information about people, activities, and social interactions at the web site onto an internal representation of a semantic structure of contents of the web site*. Yahoo is a system for navigating the Internet and for facilitating user socialization at web sites. Yahoo further discloses *each of the categories divided into subcategories of ordered levels of specificity, each of the ordered levels of specificity being a grouping of subcategories of the same levels of specificity, wherein said data structure overlays information about people, activities, and social interactions at the web site onto an internal representation of a semantic structure of contents of the web site* as shown in exhibits 1-6. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the technique of diving the category into subcategory of

Art Unit: 2172

ordered levels of specificity as taught by Yahoo in order to classify the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claim 2, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 1, Yahoo further discloses *the data structure includes one or more sections, the sections being logical intersections of one of the categories with one of the levels of specificity* (Exhibits 1-6). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the sections in the category as taught by Yahoo in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claim 5, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 1, Kawasaki further discloses *the categories include any one or more of the following: a product category, a service category, a category class, a category list, a product class, a list of products in a class, a product specification, a service class, a list of services, and a service specification* (Kawasaki, FIG. 2).

Regarding to claim 6, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 1, Yahoo further discloses: *the levels of specificity include any one or more of the following: category class, category list, offering specification, product class, list of products in a class, product specification, service class, list of services, and a*

*service specification* (Yahoo, exhibits 1-6). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the levels of specificity as taught by Yahoo in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claim 24, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 1, Yahoo further discloses *the social information mapped in the data structure is served over one or more of the network connections for display of one or more visual districts on one or more clients* (Yahoo, exhibits 1-6). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the technique of displaying one or more visual district as taught by Yahoo in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claims 25-27, Kawasaki teaches a method for profiling a User of the Internet according to predefined categories of interest (Kawasaki, Col. 2, line 60-Col. 3, lines 9). As shown in Kawasaki FIG. 2, the data sets 21 represents sets of major areas of interest include sports, games, business, investing, health, hobbies, technology, arts, politics, social issues, weather and news (Kawasaki, Col. 4, lines 26-32). As shown in FIG. 1, the statistical output from Recognizers 23 indicate whether a given set of unknown data received or sent through the Internet 18 has a good match to the installed Recognizers 23. For example, if a golfing Recognizer 23 is loaded and the User views



Art Unit: 2172

golf-related Web Pages 13a, E-mail 12a, User Groups 16a or other digital content, the golfing Recognizer 23 returns a positive match for that Data Set 21 (Kawasaki, Col. 4, lines 33-41). Thus, whenever a user visits a website, the unknown incoming data requested by Users will go through the Recognizer as *collecting data representing a social category at a web site*. Kawasaki does not explicitly teach the step of *mapping data representing two or more categories by dividing each of the categories into subcategories of ordered levels of specificity, dividing each of the ordered levels of specificity into a grouping of subcategories of the same levels of specificity; and displaying the subcategories and the grouping of subcategories in a visual, geometric pattern, wherein said data overlays information about people, activities, and social interactions at the web site onto an internal representation of a semantic structure of contents of the web site*. Yahoo is a system for navigating the Internet and for facilitating user socialization at web sites. Yahoo further discloses the step of *mapping data representing two or more categories by dividing each of the categories into subcategories of ordered levels of specificity, dividing each of the ordered levels of specificity into a grouping of subcategories of the same levels of specificity; and displaying the subcategories and the grouping of subcategories in a visual, geometric pattern, wherein said data overlays information about people, activities, and social interactions at the web site onto an internal representation of a semantic structure of contents of the web site* as shown in exhibits 1-6. It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the technique of diving the category into subcategory of ordered levels of specificity as

taught by Yahoo in order to classify the data sets of major areas of interest in specific details representing by subcategories.

**8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki [USP 6,539,375 B2] in view of Yahoo and Hazlehurst et al. [USP 6,289,353 B1].**

Regarding to claim 3, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 2, but does not explicitly teach *one or more subcategories have a degree of closeness relating the section to one or more other sections*. Hazlehurst teaches *one or more subcategories have a degree of closeness relating the section to one or more other sections* (Hazlehurst, FIG. 10A-B, Cols. 12-13). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki and Yahoo method by including the degree of closeness as taught by Hazlehurst in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claim 4, Kawasaki, Yahoo and Hazlehurst teaches all the claimed subject matters as discussed in claim 3, Hazlehurst further discloses *the degree of closeness relates to any one or more of following: a physical closeness of location of physical items represented by the respective sections, a relational closeness between one or more users and one or more objects, a relational closeness between one or more users, a semantic*

Art Unit: 2172

*closeness of descriptions of items represented by the respective sections, and a behavioral closeness of pattern of use* (Hazlehurst, FIG. 10A-B, Cols. 12-13). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki method by including the relation of the degree of closeness as taught by Hazlehurst in order to represent the data sets of major areas of interest in specific details representing by subcategories.

**9. Claims 7-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawasaki [USP 6,539,375 B2] in view of Yahoo and Nortel et al. [WebQuery: Searching and Visualizing the Web through Connectivity].**

Regarding to claim 7, Kawasaki and Yahoo teaches all the claimed subject matters as discussed in claim 1, but does not explicitly disclose the step of *collecting information about one or more nodes located on one or more of the districts*. Nortel teaches a method for searching and visualizing the Web, Nortel further discloses the step of *collecting information about one or more nodes located on one or more of the districts* (Nortel, pages 5-7). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki and Yahoo method by including the step of collecting information about one or more nodes as taught by Nortel in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Art Unit: 2172

Regarding to claim 8, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 7, Nortel further discloses *the nodes are differentiated by any one or more node functions* (Nortel, pages 5-6). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki, Yahoo and Nortel method by including the technique of differentiating the nodes in order to represent the data sets of major areas of interest in specific details representing by subcategories.

Regarding to claim 9, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 8, Yahoo further discloses *the node functions include any one or more of the following: initiating a chat session, providing information, causing a user to be associated with a node location, providing access to sales information, providing access to a salesman, and changing a browser page to one that has information relating to the node* (Yahoo, exhibits 1-6).

Regarding to claim 10, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 7, and Yahoo is *one or more of the nodes is a landmark that marks a salient location on one or more of the districts*.

Regarding to claim 11, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 10, Yahoo as *the salient location is fixed and associated with one of a plurality of business categories*.

Regarding to claim 12, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 10, Yahoo as *the salient location can change in time and is associated with an activity*.

Regarding to claim 13, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 12, Yahoo further discloses: *the activity is one or more of the following: a current "hot spot", "a list of most popular pages in a computer section", a public chat, a sale, a special product offering, a special service offering, and a sales agent availability*.

Regarding to claim 14, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 10, Yahoo as *the salient location is personally meaningful to the user*.

Regarding to claim 15, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 14, Yahoo as *the salient location represents any one or more of the following: a user's buddy, a chat buddy, a private chat, a user's favorite spot, and a user with common interest*.

Regarding to claim 16, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 7, Yahoo further discloses *the system comprising one or more paths, each path connecting two or more nodes* (Yahoo, exhibits 1-6).

Regarding to claim 17, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 16, Yahoo further discloses *the path links two or more of the nodes to associate connectivity relationships among the nodes* (Yahoo, exhibits 1-6).

Regarding to claim 18, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 16, Yahoo further discloses *a path is associated with one of the following: a user's path through one or more of the districts, a customer's path through one or more of the districts, a preferred path of a group of users through one or more of the districts, a preferred path of a group of users with common interests through one or more of the districts, and a preferred path of a group of users with complementary interests through one or more of the districts* (Yahoo, exhibits 1-6).

Regarding to claim 19, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 7, Nortel further discloses *one or more node sets, each node set containing one or more nodes clustered in nearby locations in one or more of the districts* (Nortel, pages 3-5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki,

Yahoo and Nortel method by including the feature of node sets in order to represent the data sets of major areas of interest in specific details representing by subcategories and retrieve a document from the Internet.

Regarding to claim 20, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 19, Nortel further discloses *a node set represent a relationship among two or more nodes located in one or more of the districts* (Nortel, pages 3-5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki, Yahoo and Nortel method by including the feature of node sets in order to represent the data sets of major areas of interest in specific details representing by subcategories and retrieve a document from the Internet.

Regarding to claim 21, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 19, Nortel further discloses *where one or more of the node sets is associated with one of the following: a density of users gathered in one or more adjacent node locations, a set of node locations marking results of a search, a set of node locations related by a semantic attribute, a set of node locations visited by a group of users with common interests, a set of node locations visited by a group of users with complementary interests, and a crowd of users* (Nortel, pages 3-5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki, Yahoo and Nortel method by including the feature of node sets in order to

represent the data sets of major areas of interest in specific details representing by subcategories and retrieve a document from the Internet.

Regarding to claim 22, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 19, Nortel further discloses *one or more of the node sets has a node set function* (Nortel, pages 3-5). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the Kawasaki, Yahoo and Nortel method by including the feature of node sets in order to represent the data sets of major areas of interest in specific details representing by subcategories and retrieve a document from the Internet.

Regarding to claim 23, Kawasaki, Yahoo and Nortel teaches all the claimed subject matters as discussed in claim 22, Yahoo further discloses *the node set function includes any one or more of the following: providing information about the set, changing a user's location to be associated with a node location in the set, and changing browser page to one that has information relating to a node in the set* (Yahoo, exhibits 1-6).

### **Conclusion**


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q PHAM whose telephone number is 703-605-4242. The examiner can normally be reached on Monday-Friday.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Examiner Hung Pham  
December 31, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER